

**AFFIDAVIT OF SERVICE**

UNITED STATES DISTRICT COURT  
Southern District of New York

Index Number: 08 CV 0058

Date Filed: 1/4/2008

Plaintiff:

**JAMES EASTMAN, On Behalf of Himself and All Others Similarly**

**Situated,**

vs.

Defendant:

**MERRILL LYNCH & CO., INC., et al.**

For:

Milberg Weiss LLP  
One Pennsylvania Plaza  
New York, NY 10119

Received these papers to be served on **MERRILL LYNCH & COMPANY, INC. c/o Scott D. Musoff, Esq. at Skadden, Arps, Slate, Meagher & Flom LLP, Attorneys for Defendants, located at Four Times Square, New York, New York 10036.**

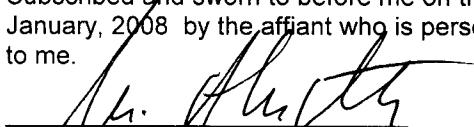
I, Baldeo Chetram, being duly sworn, depose and say that on the **14th day of January, 2008 at 12:00 pm**, I:

Personally served MERRILL LYNCH & COMPANY, INC. by delivering a true copy of the **Summons in a Civil Action, Class Action Complaint For Violations of the Employee Retirement Income Security Act of 1974, Civil Cover Sheet, Relared Case Affidavit, ECF Procedures, USDC 3rd Amended ECF Instructions, Guidelines for Electronic Case Filing and Individual Practices of Judge Sand** to Jean Glispy, Legal Secretary, authorized to accept on behalf of the above named Entity.

**Description of Person Served:** Age: 43, Sex: F, Race/Skin Color: White, Height: 5'5", Weight: 165, Hair: Black, Glasses: Y

I am over the age of 18, am not a party in the above action, and am a Certified Process Server, in good standing, in the jurisdiction in which the process was served.

Subscribed and sworn to before me on the 16th day of January, 2008 by the affiant who is personally known to me.

  
\_\_\_\_\_  
Tina A. McCarthy  
Notary Public, State of New York  
No. 01MC6115830  
Qualified in Bronx County  
Commission Expires 09/13/2008

  
\_\_\_\_\_  
Baldeo Chetram  
Process Server

Our Job Serial Number: 2008000189  
Ref: 070083-00001

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Plaintiff:

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**Situated,**

vs.

Defendant:

**MERRILL LYNCH & CO., INC., et al.**

For:

Milberg Weiss LLP  
One Pennsylvania Plaza  
New York, NY 10119

Received these papers to be served on **INDIVIDUAL DEFENDANTS c/o Scott D. Musoff, Esq. at Skadden, Arps, Slate, Meagher & Flom LLP, Attorneys for Defendants, located at Four Times Square, New York, New York 10036.**

I, Baldeo Chetram, being duly sworn, depose and say that on the **14th day of January, 2008 at 12:00 pm, I:**

Served each named defendant by delivering a true copy of the **Summons in a Civil Action, Class Action Complaint For Violations of the Employee Retirement Income Security Act of 1974, Civil Cover Sheet, Related Case Affidavit, ECF Procedures, USDC 3rd Amended ECF Instructions, Guidelines for Electronic Case Filing and Individual Practices of Judge Sand** for each defendant to Jean Glispy, Legal Secretary, as authorized to accept on behalf of each named defendant listed on the Attachment A.

**Description of Person Served:** Age: 43, Sex: F, Race/Skin Color: White, Height: 5'5", Weight: 165, Hair: Black, Glasses: Y

I am over the age of 18, am not a party in the above action, and am a Certified Process Server, in good standing, in the jurisdiction in which the process was served.

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Tina A. McCarthy  
Notary Public, State of New York  
No. 01MC6115830  
Qualified in Bronx County  
Commission Expires 09/13/2008

  
Baldeo Chetram  
Process Server

Our Job Serial Number: 2008000241  
Ref: 070083-00001

**ATTACHMENT A**  
**LIST OF ALL DEFENDANTS**

MERRILL LYNCH & CO., INC.

E. STANLEY O'NEAL

LOUIS DIMARIA

ALBERTO CRIBIORE

ARMANDO M. CODINA

VIRGIS W. COLBERT

JOHN D. FINNEGAN

AULANA L. PETERS

CHARLES O. ROSSOTTI

JILL K. CONWAY

CAROL T. CHRIST

JUDITH MAYHEW JONAS

JOSEPH W. PRUEHER

ANN N. REESE

DAVID K. NEWBIGGING

THE INVESTMENT COMMITTEE OF THE MERRILL LYNCH & CO., INC. 401(K)  
SAVINGS AND INVESTMENT PLAN

THE ADMINISTRATIVE COMMITTEE OF THE MERRILL LYNCH 401(K) SAVINGS  
AND INVESTMENT PLAN

JOHN DOES 1-20